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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of : )

Peter Ruhdal JENSEN et al.)

Serial No.: 09/242,657 )

Filed: February 19, 1999 )

Group Art Unit: 1636

Examiner: G. Leffers, Jr.

For: ARTIFICIAL PROMOTER LIBRARIES FOR SELECTED ORGANISMS

AND PROMOTERS DERIVED FROM SUCH LIBRARIES

AMENDMENT UNDER 37 C.F.R. § 1.113

Assistant Commissioner for Patents

Box AF

Washington, D.C. 20231

Sir:

Responsive to the Office Action of August 3, 2001, please amend the above-identified patent application as set forth below. A petition for a two (2) month extension of time along with a check for the appropriate fee is enclosed.

IN THE CLAIMS

Please amend claims 1, 16, 18, and 21. Set forth below are the amended claims in clean form. Also, the amended claims in the marked up form are included in the attached Appendix.

1. (Twice Amended) A set of promoter sequences suitable for optimizing the expression of a gene in a selected organism or group of organisms, said set of promoter sequences covering, with respect to promoter strength for said gene, a range of promoter activities which is within a range from the weakest activity that is detectable by inserting each of the set of promoters into a vector comprising a promoterless  $\beta$ -galactosidase reporter gene system, transforming a host strain with the resulting vector and cultivating the transformed host strain with the resulting vector and cultivating the transformed host strain to express  $\beta$ -

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